

**Notice of Allowability**

Application No.

09/834,222

Examiner

Keith T. Ferguson

Applicant(s)

BERN ET AL.

Art Unit

2683

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/20/04.
2. ☒ The allowed claim(s) is/are 1-23.
3. ☒ The drawings filed on 12 April 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 1/18/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 1/18/05.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

*Keith T. Ferguson*

Art Unit: 2683

### Part III EXAMINER'S AMENDMENT

1. An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the Issue Fee.

Authorization for this Examiner's Amendment was given in a telephone interview with Dana L. Tangren on January 18, 2005.

The application has been amended as follows:

In claim 1, line 3, "POP3 or IMAP4-like" has been changed to -- POP3 or IMAP4--; in claim 1, line 9, "POP3 or IMAP4-like" has been changed to -- POP3 or IMAP4--; in claim 3, line 2, "POP3 or IMAP4-like" has been changed to -- POP3 or IMAP4--; in claim 7, line 4, "POP3 or IMAP4-like" has been changed to -- POP3 or IMAP4--; in claim 7, line 9, "POP3 or IMAP4-like" has been changed to -- POP3 or IMAP4--; in claim 9, line 11, "POP3 or IMAP4-like" has been changed to -- POP3 or IMAP4--; in claim 9, line 2, "POP3 or IMAP4-like" has been changed to -- POP3 or IMAP4--; in claim 10, line 2, "POP3 or IMAP4-like" has been changed to -- POP3 or IMAP4--; in claim 11, line 2, "POP3 or IMAP4-like" has been changed to -- POP3 or IMAP4--; in claim 13, line 7, "POP3 or IMAP4-like" has been changed to -- POP3 or IMAP4--; in claim 19, line 3, "POP3 or IMAP4-like" has been changed to -- POP3 or a IMAP4--; in claim 19, line 13, --using a POP3 or a IMAP4 protocol-- has been inserted after "site"; in claim 21, line 5, "POP3 or IMAP4-like" has been changed to -- POP3 or IMAP4--; in claim 21, line 12, "POP3 or IMAP4-like" has been changed to -- POP3 or IMAP4--.

#### REASONS FOR ALLOWANCE

2. Claims 1-23 is allowed.

3. The following is an Examiner's Statement of Reasons for Allowance:

Upon close review of the claims, the prior art of record and applicants remarks in the Amendment on page 12 line 8

Art Unit: 2683

through page 8 line 21 mailed August 20, 2004, it appears that the allowance of claims 1-23 is appropriate.

Issinski (CA 2302801 A1) discloses a method for providing electronic mail message notification information using a POP3 protocol (abstract and page 5 lines 1-10). However, Issinski does not disclose "extracting at the mobile communication station the job identifier from the received message; conveying at the mobile communication station the extracted job identifier to a user of the mobile communication station; and accessing at least part of the e-mail stored at the mail server site using a POP3 or a IMAP4 protocol by transmitting a client host command from the mobile communication station to the mail server site, in which command the job identifier is used as a unique identifier for the e-mail which is to be accessed". Issinski does not disclose "a first component for receiving a message at the mobile communication station via a message service provided by the digital radio communication network, the message being transmitted from the mail server site and comprising a unique job identifier corresponding to an e-mail stored at the mail server site and for extracting at the mobile communication station the job identifier from the received message; and a second component implementing a POP3- or lMAP4 host at the mobile communication station, which component is arranged to

Art Unit: 2683

access at least part of the e-mail stored at the mail server site by transmitting a client host command from the mobile communication station to the server host, in which command the job identifier is used as a unique identifier for the e-mail which is to be accessed".

Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably **accompany** the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Keith T. Ferguson whose telephone number is (703) 305-4888. The examiner can normally be reached on 6:30am-5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (703) 308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2683

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Keith Ferguson  
Art Unit 2683  
January 18, 2005

